

EXHIBIT A

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Attorneys for Plaintiff THOMAS H. PILLSBURY, JR.

THOMAS H. PILLSBURY, JR. and
MELODY PILLSBURY (Husband and Wife)

Plaintiff,

v.

PBF ENERGY, INC., and JEFFERS
CRANE SERVICE, INC.

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MORRIS COUNTY

Docket No.: MRS-L-001448-20

CIVIL ACTION

SUMMONS

From the State of New Jersey, To the Defendant(s) Named Above:

**JEFFERS CRANE SERVICE INC.
5421 NAVARRE AVENUE
OREGON, OH 43616**

The plaintiffs, named above, have filed a lawsuit against you in the Superior Court of New Jersey. The Complaint attached to this Summons states the basis for this lawsuit. If you dispute this Complaint, you or your attorney must file a written Answer or Motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this Summons, not counting the date you received this Summons. (The address of each deputy clerk of the Superior Court is provided). If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a complete Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will

not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written Answer or Motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services in the county where you live or Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). A list of these offices is provided. If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Service Services. A list of these numbers is also provided.

Michelle M. Smith, Esq.
Clerk of Superior Court

Dated: July 20, 2020

Name of Defendant to be Served: Jeffers Crane Service, Inc.

Address of the Defendant to be Served: 5421 Navarre Avenue
Oregon, OH 43616

NOTE: The Case Information Statement is available at www.njcourts.com

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COMPLAINT AND JURY DEMAND

Plaintiff THOMAS H. PILLSBURY, JR. and his wife MELODY PILLSBURY,
residing at 711 N. McDonough Road, County of Spalding, State of Georgia by way of
Complaint against Defendants, says:

PARTIES & JURISDICTION

1. Plaintiff THOMAS H. PILLSBURY, JR. is an individual who at all times
relevant herein, was employed by Universal Plant Services, Inc. as a forman at premises
belonging to Toledo Refining Company in Toledo, Ohio ("the Premises").

2. Defendant PBF Energy, Inc., ("PBF") is the owner of the Premises and is a
corporation organized under the laws of the State of New Jersey, which has its principal
place of business at 1 Sylvan Way, 2nd Floor, Parsippany, NJ, in the Town of Parsippany-
Troy Hills, County of Morris, State of New Jersey

3. Defendant Jeffers Crane Service, Inc. is a corporation organized under the laws of the State of Ohio, which at times relevant herein, had its principal place of business at 5421 Navarre Avenue, Oregon, OH, in the Town of Oregon, County of Lucas, State of Ohio.

FIRST COUNT

(As to PBF Energy, Inc.)

4. On or about April 1, 2020, Plaintiff THOMAS H. PILLSBURY, Jr. was in the course and scope of his employment with Universal Plant Services, Inc. as a foreman at the Premises known as Toledo Refining Company in Toledo, Ohio.

5. Defendant PBF ENERGY, INC. is the owner of the Premises known as Toledo Refining Company, Toledo, Ohio.

6. Plaintiff was working on a turbine, blower and heat expander which provides heat fuel through the plant. Defendant, PBF, as owner of the Premises, was responsible for the scheduling and coordinating of the work, including the subject lift that injured Plaintiff. Defendant PBF was responsible for issuing work permits and ensuring the work conducted inside of the plant was being done safely. Importantly, Defendant PBF reduced a significant amount of the work force at the plant. This reduction left an insufficient number of workers to perform the job tasks safely.

7. At the time and place aforesaid, Defendant PBF ENERGY, INC. and/or its agents, servants and/or employees, were negligent, careless, reckless and/or unreasonable in performing and/or failing to perform such actions and/or such omissions so as to render the Premises unsafe for Plaintiff THOMAS H. PILLSBURY, JR.

8. As a direct and proximate result of the negligent, careless, reckless and/or unreasonable conduct of Defendant PBF ENERGY, INC., Plaintiff THOMAS H. PILLSBURY, JR. suffered serious and permanent bodily injuries which necessitated obtaining medical treatment, including surgery, and expending large sums of money for medical care and attention, causing him pain and suffering, incapacitating him from pursuing daily activities and attending to his usual occupation and business and leaving him with permanent disabilities that will in the future similarly incapacitate him, cause him pain and suffering and require medical treatment.

WHEREFORE, Plaintiffs demand judgment against Defendant PBF ENERGY, INC., jointly and severally, and in the alternative for damages, together with interest, costs of suit and attorney's fees, as well as any other relief as the Court may deem proper.

SECOND COUNT

(As to Jeffers Crane Service, Inc.)

Plaintiff repeats each and every allegation contained in the above Count(s) as if set forth at length herein and further states:

9. At the time and place aforesaid, Defendant JEFFERS CRANE SERVICE, INC. had the legal status of contractor.

10. At the time and place aforesaid, Defendant JEFFERS CRANE SERVICE, INC., and/or its agents, servants and/or employees, was/were in charge of the overall control, supervision and coordination of activities on the Premises known as Toledo Refining Company in Toledo, Ohio.

11. At the time of the incident, Plaintiff was assisting Defendant Jeffers Crane with moving a small building referred to as a doghouse.

12. A crane, operated and owned by Defendant JEFFERS CRANE SERVICE, INC., was used to pick up the dog house and moved it across the street. Defendant Jeffers moved the crane without the assistance of any riggers. At the same time, Plaintiff placed barricade tape around the general area where the lift was going to happen. After moving the crane across the street, the operator let his outrigger down without ensuring it was safe to do so. The outrigger came down onto Plaintiff's right foot, causing Plaintiff to hit the ground.

13. At the time and place aforesaid, Defendant JEFFERS CRANE SERVICE, INC. and/or its agents, servants and/or employees, were negligent, careless, reckless and/or unreasonable in performing and/or failing to perform such actions and/or such omissions so as to render the Premises unsafe for Plaintiff THOMAS H. PILLSBURY, JR.

14. As a direct and proximate result of the negligent, careless, reckless and/or unreasonable conduct of Defendant JEFFERS CRANE SERVICE, INC., Plaintiff THOMAS H. PILLSBURY, JR. suffered serious and permanent bodily injuries which necessitated obtaining medical treatment, including surgery, and expending large sums of money for medical care and attention, causing him pain and suffering, incapacitating him from pursuing daily activities and attending to his usual occupation and business and leaving him with permanent disabilities that will in the future similarly incapacitate him, cause him pain and suffering and require medical treatment.

WHEREFORE, Plaintiffs demand judgment against Defendant JEFFERS CRANE SERVICE, INC., jointly and severally, and in the alternative for damages, together with

interest, costs of suit and attorney's fees, as well as any other relief as the Court may deem proper.

THIRD COUNT

(Per Quod)

Plaintiff, MELODY PILLSBURY restates and realleges the allegations contained in First and Second Counts of this Complaint and further states:

15. At all times relevant thereto, Plaintiff, MELODY PILLSBURY was the wife of Plaintiff, THOMAS PILLSBURY, JR .

16. As a result of defendants, wrongful and tortious acts and omissions, Plaintiff MELODY PILLSBURY has lost the benefit of her husband's society, services and consortium and has incurred damages for her time, travel, services and unreimbursed expenses including but not limited to medical expenses.

WHEREFORE, plaintiff, MELODY PILLSBURY, demands judgment against the defendants for loss of marital society, services and consortium; time, travel, her own services and unreimbursed expenses including but not limited to medical expenses; attorney's fees and costs of suit; and such other relief as the court deems just and equitable.

DESIGNATION OF TRIAL COUNSEL

In accordance with Rule 4:25-4, you are hereby notified that Anthony G. Buzbee, of The Buzbee Law Firm, is assigned to try this case.

CERTIFICATION PURSUANT TO RULE 4:5-1

Pursuant to Rule 4:5-1, I hereby certify that I have no knowledge of any other pending actions or proceedings concerning the subject matter of this action. It is not anticipated at this time that there is any other party who should be joined in this action.

DEMAND FOR TRIAL BY JURY

Plaintiff hereby demands Trial by Jury on all issues.

LAW OFFICE OF KEVIN T. KUTYLA
THE BUZBEE LAW FIRM
Attorneys for Plaintiff

Dated: July 14, 2020

By: 
Kevin T. Kutyla, Esq.